

REMARKS/ARGUMENTS

Claims 1 through 18 are pending in the application.

Applicant acknowledges the withdrawal of rejections to claims 1 – 18 from the previous action, and thanks the examiner for his consideration of the arguments presented.

Claims 1 through 5, 7, and 8 have been rejected under 35 U.S.C. §102(b), or, in the alternative, under 35 U.S.C. §103(a), over “www.gcevaluators.com,” the Internet website for Global Credential Evaluators, Inc. (hereinafter, “the GCE website”).

The website for Global Credential Evaluators, Inc. [www.gcevaluators.com] offers a service to interpret the educational background of persons who have completed all or part of their education outside of the United States. In pertinent part, the website for GCE “guarantees that all evaluations are prepared by a *qualified professional evaluator*.” [emphasis added] (page 2, line 8). GCE also “maintains current reference materials and conducts its own research in international and comparative education through professional contacts with foreign universities and schools...” (page 2, lines 13 – 14). The usual turnaround time for the report for these evaluations is five (5) working days, but a “Rush service” is available to provide a “24-hour turnaround time.” (page 5, lines 29 – 31; page 3, line 15). The reports are sent by “Priority Mail” or “Express Mail” (page 3, line 17). One original document is included in the fee, and copies requested at the time the report is prepared are \$5 per copy. (page 3, lines 20 – 21).

Independent claim 1 provides a computer-implemented method for determining authenticity of a business partner in response to a request of a user. The method includes: (a) receiving a request of a user to determine authenticity of a business partner; (b) receiving an identity of the business partner from the user; (c) matching the identity of the business partner to a business data record of a business that is one of a plurality of businesses by searching at least one database for the business data record having attributes that match the identity; and (d) processing one or more of the at least one data attribute of the matched data record according to a set of authentication rules to determine if the business partner is authentic. The data record includes at least one data attribute that represents at least one credential of the business partner.

At the outset, claim 1 of the present disclosure recites a “computer-implemented method,” which is an entirely different principle of operation than was disclosed in the GCE website, which “guarantees that all evaluations are *prepared by a qualified professional evaluator*.” The cited reference emphasizes that a *person* is implementing the evaluation of data, and touts the service’s reliability because of “its own research...through professional contacts” with foreign universities, ministries, consular officers, etc. (page 2, lines 11 – 13). A computer is used by the professional evaluator from GCE in the same way that any skilled person might go to a school’s registrar, library, or to an embassy, take out a book or educational record, and gather this information by hand.

There are several other important differences that distinguish the GCE website from claim 1 (and its dependent claims). The normal “Turnaround time” for the GCE response is five (5) working days (page 5, lines 29 – 30), although a “Rush fee” – that is 50% more than the cost

of one of the basic reports itself – can be paid for a “24-hour turnaround.” (page 3, line 15).

Further, the GCE website discloses that the report from the professional evaluator is sent to the user by “Priority Mail” or “Express Mail,” and that the original report will be a single hard copy unless fees are paid for additional (hard) copies at the time of the initial order. (page 3, lines 17, 21 and 22). These features disclosed in the GCE website are distinguishable, and teach away from, the “computer-implemented method” recited in claim 1 (and its dependent claims), which is automated for rapid turnaround of the results to the user.

Further, claim 1 recites several other features which are not disclosed or suggested by the GCE website. The computer-implemented method recited in claim 1 determines the authenticity of a “business partner” by searching at least one database for a “business data record” having at least “one data attribute” (claim 1(c)). In the context of claim 1, the plain meaning of “business partner” would be clearly understood by a person skilled in the art, particularly when interpreted in light of the disclosure that expressly defines the “business partner” relationship by example: “XYZ is a business partner of user, such as supplier, customer, joint venture partner, licensee, licensor, or other business partner” (page 6, lines 6 – 11). A “business data record” is defined in the present disclosure as having “data attributes” such as business name, business location, and Dun & Bradstreet (DUNS) number (page 5, lines 14 – 17). Applicant respectfully submits that none of these features are disclosed or suggested by the GCE website. The GCE website discloses a service that researches non-business records (i.e., foreign education records), and emphasizes the contribution by the GCE professional evaluators, who provide context for the education records in their reports (comparability of the foreign schools with U.S. high school or

universities), and subjective information (“perception of the degree in the home country”) (GCE website at page 2, lines 22 – 29).

Furthermore, claim 1(d) requires processing a “data attribute” according to a set of “authentication rules,” where at least one data attribute represents a “credential” of the business partner, where “credential” is defined by example in the present disclosure as a “license, purchase authority, bank account verification, professional memberships or industry memberships” (page 3, lines 19 – 21, page 8, lines 15 – 17). An example of “authentication rules” is provided in the present disclosure at page 7, lines 25 to page 8, line 2: when checking trade references for the proposed business partner, if the trade references show there are current transactions for the proposed business partner, there is a high probability that the proposed business partner is authentic; conversely, if no current transactions are found, the proposed business partner is probably not authentic. The GCE website, by contrast, discloses that its professional evaluators are researching non-business (i.e., foreign education) records, and provides no suggestion that foreign educational data is processed according to a set of authentication rules; instead, the education data is compiled and given a contextual basis by a professional evaluator who is knowledgeable about the countries where the schools are located.

For these reasons, Applicant submits that claim 1 recites several features which are neither disclosed nor suggested anywhere in the GCE website. Accordingly, Applicant respectfully requests that the rejections to claim 1 brought under §102(b) and §103(a) be reconsidered for the reasons above, and withdrawn.

Dependent claims 2 through 5, 7, and 8 are also rejected under §102(b) and §103(a) over the GCE website reference. In addition to the distinctions discussed above for claim 1, dependent claim 2 has an additional feature that distinguishes over the GCE website where it recites that a “notifying step and steps (a), (b) and (c) [of claim 1], are automatically performed by a computer system.” In contrast to the recited steps (a) (b) and (c) of claim 1, the GCE website makes no provision that the user’s request be received and automatically matched to a business data record by computer. In fact, the GCE website “guarantees” that “all evaluations are performed by a qualified professional evaluator” (page 2, line 8). Nor is a “notification” step automatically provided to the user by computer in the GCE website. Rather, the GCE website provides only for hard copy reports (page 3, line 20), that are sent by Priority Mail or Express Mail (page 3, line 17). Dependent claims 3 through 5, in addition to the grounds provided for independent claim 1 above, add the points of distinction that the GCE website neither discloses or suggests the step of providing a standard template for entry of data for the identity of the business partner that is compatible with a computer system (claim 3), especially where the standard template is presented to the user (claim 4) or business partner (claim 5) for completion. Dependent claims 7 and 8, in addition to the grounds provided for claim 1, add the points of distinction that the GCE website never discloses or suggests further steps that are taken if a “matching” step fails to find a match, especially presenting a “registration template” to the business partner (claim 7) or searching the business database for the credential of the business partner (claim 8).

Thus, for the above reasons, Applicant also respectfully requests reconsideration and withdrawal of the rejections to dependent claims 2 through 5, 7, and 8 brought under §102(b) and §103(a) over the GCE website.

Claims 6 and 9 are rejected under §103(a) over the GCE website as applied to claims 1 through 5, and further in view of “Article 1997.”

The GCE website is described in detail above. The second reference, Article 1997, describes various techniques that prospective employers can use to assess job candidates, particularly stressing the advantages of interactive, person-to-person telephone conversations with former employers to obtain candid appraisals of the candidate.

Dependent claim 6 differs from the GCE website reference for all of the reasons provided above for independent claim 1, and adds another point of distinction because the GCE website neither discloses or fairly suggests that the “authentication rules [recited in 1(d))] require one or more current transactions with trade references.” The secondary reference, Article 1997, does not supplement the GCE website in such a way as to suggest every one of the features of claim 6. Step 1(d), for example (upon which claim 6 depends), required the business partner’s “credentials” to be processed according to a set of “authentication rules,” to determine if the business partner is authentic. The secondary reference, Article 1997 does not disclose or suggest a method of subjecting credentials to a set of authentication rules. Neither the GCE website, nor the Article 1997 reference, expressly or implicitly supports a reason why a person of skill in the

art would have been motivated to combine these two particular references to arrive at the features of claim 6. Each of the cited references emphasizes the advantage of personal (as opposed to computer-implemented) evaluation of data, and neither reference fairly suggests “a set of authentication rules” that involve trade references. Thus the GCE website and Article 1997 do not suggest combination, nor do they provide a motivation for obviousness when taken in combination. The mere fact that the two references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. See *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

Likewise, dependent claim 9 differs from the GCE website reference for all of the several reasons provided for independent claim 1, plus the added distinction that the GCE website is directed only to evaluation of foreign education records, and does not suggest searching any of the specific credentials recited in claim 9; i.e., license, purchase authority, bank account verification, professional memberships and industry memberships. The GCE website and Article 1997 provide no suggestion why a person of skill would have been motivated to combine these two references to arrive at the features of claim 9.

Thus for the reasons provided above, Applicant respectfully requests reconsideration and withdrawal of the rejections to dependent claims 6 and 9 brought under §103(a) over the GCE website, as applied to claims 1 through 5, and further in view of Article 1997.

Claims 10 through 14, 16 and 17 are rejected under §102(b) and §103(a), over the GCE website.

Independent claim 10 recites a computer system for determining authenticity of a business partner in response to a request of a user comprising: a device for receiving a request of a user to determine authenticity of a business partner; and at least one processor for performing the steps of: receiving an identity of said business partner from said user; matching said identity of said business partner to a business data record of a business that is one of a plurality of businesses by searching at least one database for said business data record having attributes that match said identity, wherein said data record includes at least one data attribute; and processing one or more of said at least one data attribute of said matched data record with at least one business according to a set of authentication rules to determine if said business partner is authentic, wherein said at least one data attribute represents at least one credential of said business partner.

The germane sections of the primary reference, the GCE website, are the same for claim 10 as for independent claim 1, provided above.

Claim 10 recites a “computer system” for determining authenticity of a business partner, and that at least one “processor” performs the several authentication steps. These features alone are readily distinguishable from the GCE website, which discloses a “guarantee” that “all evaluations are prepared by a qualified professional evaluator” (GCE website, page 2, line 8).

The GCE website thus emphasizes that a *person* is evaluating data that is used to generate the report that is issued to the user, rather than the computer “processors” of the present invention. The processor, represented by reference number 40 in Figure 2, is part of the computer system operating under the control of an operating system to run the authentication program. Article 1997, while mentioning computers generally, does not disclose a computer “processor” running an authentication program to determine authenticity of a business partner; instead, all “processing” in Article 1997 is performed by the person placing the call, who assesses the quality of the information as well as the quality of the source.

Further, claim 10 recites several other features which are not disclosed or suggested by the GCE website. The computer system recited in claim 10 determines the authenticity of a “business partner” by searching at least one database for a “business data record” having at least “one data attribute.” The meaning of “business partner” in claim 10 is the same as described above in the analysis of this same term as used in claim 1. Likewise, a “business data record” is defined in the present disclosure as having “data attributes” such as business name, business location, and Dun & Bradstreet (DUNS) number (page 5, lines 14 – 17). None of these features are disclosed or suggested by the content of the GCE website. In fact, the GCE website discloses a service that researches *non-business* records (education records in foreign schools), and emphasizes the contribution by the GCE professional evaluators, who provide context for the education records in their reports (comparability of the foreign schools with U.S. high school or universities), and subjective information (“perception of the degree in the home country”) (GCE website at page 2, lines 22 – 29). The GCE website thus neither discloses, nor suggests, using a

“processor” to search business data records having data attributes to determine the authenticity of a business partner, as recited in claim 10.

Furthermore, claim 10 recites the step of “processing” at least one data attribute according to a set of “authentication rules,” where at least one data attribute represents a “credential” of the business partner (defined by example in the present disclosure as a “license, purchase authority, bank account verification, professional memberships or industry memberships (page 3, lines 19 – 21, page 8, lines 15 – 17)). An example of one of the “authentication rules” is provided in the present disclosure at page 7, lines 25 to page 8, line 2: when checking trade references for the proposed business partner, if the trade references show there are current transactions for the proposed business partner, there is a high probability that the proposed business partner is authentic; conversely, if no current transactions are found, the proposed business partner is probably not authentic. The GCE website, by contrast, does not disclose or suggest that its professional evaluators are researching any of the same business credentials. Nor does the GCE website disclose or suggest processing data according to a set of authentication rules; instead, the education data is compiled and given a contextual basis by a professional evaluator who is knowledgeable about the countries where the schools are located.

Moreover, the GCE website discloses several features which teach away from the computer system and [computer] “processing” steps that are recited in claim 10. For example, the GCE website discloses a normal “turnaround time” of five (5) working days (page 5, lines 29 – 30), although a “Rush fee” can be paid for a “24-hour turnaround.” (page 3, line 15). Further,

the GCE website discloses that the report from the professional evaluator is sent to the user by “Priority Mail” or “Express Mail,” and that the original report will be a single hard copy unless fees are paid for additional (hard) copies at the time of the initial order (page 3, lines 17, 20 – 22). These features of the GCE website service teach away from the computer system and processor recited in claim 10, which is automated for rapid turnaround of the authentication results to the user.

Based on the above analyses, Applicant submits that claim 10 recites several distinct features which are neither disclosed nor suggested by the GCE website, and respectfully requests that the rejections to claim 10 brought under §102(b) and §103(a) be reconsidered and withdrawn.

Dependent claims 11 through 14, 16 and 17 have also been rejected under §103(a) over the GCE website. In addition to the distinctions discussed above for claim 10, dependent claim 11 has an additional point of distinction over the GCE website because claim 11 recites a notifying means for notifying the user “of the determination made by said processor.” The computer processor, which performs the steps of “receiving...matching...processing” (claim 10) has no counterpart that is disclosed or suggested anywhere in the GCE website. Likewise, dependent claims 12 through 14, in addition to the distinguishing features provided for independent claim 10, add the points of difference that the GCE website neither discloses or suggests the step of providing a “standard template” for entry of data for the identity of the business partner (claim 12), especially where the standard template is presented for completion

to the user (claim 13) or to the business partner (claim 5). Dependent claims 16 and 17, in addition to the distinguishing features discussed for claim 10, add the points of distinction that the GCE website never discloses or suggests further steps that are taken when a “matching” step fails to find a match, specifically presenting a “registration template” to the business partner (claim 16), or a means for searching the business database for the credential of the business partner (claim 17).

Thus, for the above reasons, Applicant also respectfully requests reconsideration and withdrawal of the rejections to dependent claims 11 through 14, 16 and 17 brought under §102(b) and §103(a) over the GCE website.

Claims 15 and 18 are rejected under §103(a) as obvious over the GCE website as applied to claims 10 through 14, and further in view of Article 1997.

The relevant parts of the GCE website and Article 1997 references are described above.

Dependent claim 15 differs from the GCE website reference for all of the reasons provided above for independent claim 10, and adds another point of distinction because the GCE website neither discloses or fairly suggests a computer system wherein the “authentication rules require one or more current transactions with trade references.” The secondary reference, Article 1997, does not supplement the GCE website to disclose or suggest every one of the features of claim 15. For example, one of the steps in claim 10 (upon which claim 6 depends), requires “processing” the business partner’s “credentials” according to a “set of authentication rules,” to

determine if the business partner is authentic. Neither the GCE website nor Article 1997 discloses computerized “processing” of any type of information about a business partner “according to a set of authentication rules.” More specifically, the secondary reference does not disclose or suggest a method of processing “credentials” according to a set of authentication rules using current transactions with trade references. Article 1997 is directed to personal contacts with former employers to “pry loose” candid assessments about the strengths and weaknesses of a job candidate, and not to “current transactions with trade references” under a set of authentication rules. Neither the GCE website, nor the Article 1997 reference, expressly or implicitly supports a reason why a person of skill in the art would have been motivated to combine these two particular references to arrive at the features of claim 15, because each of the cited references emphasizes the advantages of personal evaluation of data, and neither reference fairly suggests “a set of authentication rules” involving current transactions with trade references. Thus the two cited references, taken alone or in combination, do not render obvious claim 15.

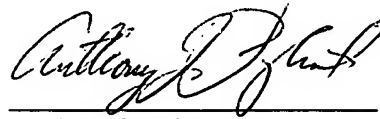
Likewise, dependent claim 18 differs from the GCE website reference for all of the reasons provided for independent claim 10, plus claim 18 adds a distinction over the GCE by reciting the processing of certain specific credentials: license, purchase authority, bank account verification, professional memberships and industry memberships. By contrast, the GCE website is directed to evaluation of education records in foreign countries, and does not suggest processing these specific business credentials. Article 1997 does not sufficiently supplement the GCE website disclosure so as to disclose every feature of claim 18.

Thus, for the reasons provided above, Applicant respectfully requests reconsideration and withdrawal of the rejections to dependent claims 15 and 18 brought under §103(a) over the GCE website, as applied to claims 10 through 14, and further in view of Article 1997.

In view of the discussion above, Applicant submits that the claims are patentably distinguishable over the cited art, taken alone or in combination. Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the claim rejections, and passage of this application to allowance.

Respectfully submitted,

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Date



Paul D. Greeley
Reg. No. 31,019
Anthony J. Paviglianiti
Reg. No. 45,000
Attorneys for Applicant
Ohlandt, Greeley, Ruggiero & Perle, LLP
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel: (203) 327-4500
Fax: (203) 327-6401